



OFFICE OF THE  
HARRIS COUNTY ATTORNEY  
**CHRISTIAN D. MENEFFEE**

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February 17, 2025

Via email to: [Glenda.Hassan@txs.uscourts.gov](mailto:Glenda.Hassan@txs.uscourts.gov)

Glenda Hassan

Acting Case Manager to Judge Lee H. Rosenthal

United States District Clerk

Post Office Box 61010

Houston, Texas 77208

Re: *Zimmern, et al., v. Hidalgo, et al.*, Case No. 4:24-cv-4439

Dear Ms. Hassan:

Defendants submit this letter in accordance with provisions 4 and 13 of Judge Rosenthal's Court Procedures.

As noted in the Joint Discovery/Case Management Plan, ECF No. 22, the parties are not in agreement regarding the appropriate timeframe for commencing discovery in this matter. At the Rule 26(f) meeting, Plaintiffs' counsel stated an intent to begin discovery immediately following the Rule 16 conference, which is currently set for February 28, 2025. Defendants maintain that discovery, including the exchange of initial disclosures, is not appropriate until the Court rules on their pending motion to dismiss, which raises threshold issues of subject-matter jurisdiction and immunity. The parties conferred in a good-faith effort to resolve this issue but are unable to reach an agreement.

Defendants believe that the Court can take up this dispute at the Rule 16 conference. However, if the Court anticipates that a formal motion to stay discovery will be necessary, Defendants suggest that an earlier pre-motion conference would be appropriate.

Respectfully submitted,

/s/ Edward D. Swidriski III

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COUNSEL FOR DEFENDANTS

cc: All counsel (via email and CM/ECF).